

***IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION***

JURASSIC SEISMIC COMPANY

PLAINTIFF

vs.

CIVIL ACTION NO. 3:05cv682 HTW-LRA

JOHN P. ADCOCK, JR., et al.

DEFENDANTS

CONSOLIDATED WITH

JURASSIC SEISMIC COMPANY

PLAINTIFF

vs.

CIVIL ACTION NO. 3:06cv51 HTW-LRA

W. B. COCKRELL, ET AL.

DEFENDANTS

CONSOLIDATED WITH

JURASSIC SEISMIC COMPANY

PLAINTIFF

vs.

CIVIL ACTION NO. 3:06cv171 HTW-LRA

HAROLD ADAMS, ET AL.

DEFENDANTS

CONSOLIDATED WITH

JURASSIC SEISMIC COMPANY

PLAINTIFF

vs.

CIVIL ACTION NO. 3:06cv00367-HTW-LRA

ANTHONY SMITH

DEFENDANT

FINAL ORDER AND JUDGMENT

Before this Court in these consolidated actions is a motion by the plaintiff, Jurassic Seismic Company (“Jurassic”), for entry of this Final Order and Judgment filed by plaintiff in the lead case, *Jurassic Seismic Company vs. John P. Adcock, Jr., et al.*, Civil Action No. 3:05cv682 HTW-LRA [docket no. 139]. This action is consolidated with the following causes of action: *Jurassic Seismic Company vs. W. B. Cockrell, et al.*, Civil Action No. 3:06cv51 HTW-LRA; *Jurassic Seismic Company vs. Harold Adams, et al.*, Civil Action No. 3:06cv171 HTW-LRA; and *Jurassic Seismic Company vs. Anthony Smith*, Civil Action No. 3:06cv367 HTW-LRA [docket no 111].

Having considered the matters in each cause of action and having concluded that good cause exists to direct the entry of this Final Order and Judgment, the Court finds that plaintiff’s motion should be granted, and that this Final Order and Judgment should be entered in these consolidated actions as herein set forth. The Court does hereby find, conclude, declare, determine, order and adjudge as follows:

1. The Court has jurisdiction over the parties and the subject matter of these actions, including as provided under Title 28 U.S.C. § 2201 and Federal Rule of Civil Procedure 57.

2. In the first action, *Jurassic Seismic Company vs. John P. Adcock, Jr., et al.* (“*Adcock*”), Civil Action No. 3:05cv682, Jurassic filed suit by Complaint filed on November 8, 2005 [docket no. 1], and the defendants were duly served with a Summons and copy of the Complaint between the dates of November 11, 2005, and November 22, 2005 [docket nos. 20-100].

3. In the second action, *Jurassic Seismic Company vs. W. B. Cockrell, et al.* (“*Cockrell*”), Civil Action No. 3:06cv51, Jurassic filed an Amended Complaint on January 30,

2006 [docket no. 3], and the defendants were duly served with a Summons and copy of the Amended Complaint between the dates of February 2, 2006, and February 16, 2006 [docket nos. 9-26; 29].

4. In the third action, *Jurassic Seismic Company vs. Harold Adams, et al.* (“Adams”), Civil Action No. 3:06cv171, Jurassic filed suit by Complaint filed on March 24, 2006 [docket no. 3], and the defendants were duly served with a Summons and copy of the Complaint between the dates of March 30, 2006, and April 6, 2006 [docket nos. 5-24;26;28-31].

5. In the fourth action, *Jurassic Seismic Company vs. Anthony Smith* (“Smith”), Civil Action No. 3:06cv00367, Jurassic filed suit by Complaint filed on July 7, 2006 [docket no. 1], and the defendant was duly served with a Summons and copy of the Complaint on July 13, 2006 [docket no.2].

6. Jurassic brought claims in each of these actions for injunctive and declaratory relief against the defendants to enforce and declare its rights to conduct oil and gas seismic exploration operations on the surface of lands owned by the defendants, as described by parcel in Exhibit A to the Complaint or Amended Complaint in each case, and to adjudicate any and all claims, defenses, counterclaims, controversies or other matters arising from those operations.

7. The Court granted injunctive relief in favor of Jurassic and against certain of the defendants in *Adcock*, Civil Action No. 3:05cv682, by Preliminary Injunction entered on December 2, 2005 [docket no.14], and in *Adams*, Civil Action No. 3:06cv171, by Temporary Restraining Order entered on April 20, 2006 [docket no. 32] and a Preliminary Injunction entered on May 3, 2006 [docket no. 37]. All findings and conclusions of the Court and all evidence, exhibits and other submissions of record offered in support and received by the Court in those proceedings are incorporated herein by reference.

8. In issuing the above injunctive relief to Jurassic, the Court ordered and Jurassic posted a cash bond of security in the amount \$50,000.00, which was deposited in the Court's Registry Fund for the payment of any costs or damages incurred or suffered by any defendant wrongfully enjoined or restrained [*Adcock*, docket no. 18; *Adams*, docket nos. 32 and 37].

9. Jurassic was entitled to all injunctive relief granted in its favor and against the defendants as ordered in the Preliminary Injunctions and Temporary Restraining Orders entered by the Court; Jurassic had the right to conduct seismic exploration on the defendants lands; the defendants were not wrongfully enjoined or restrained; Jurassic is not liable for any costs or damages to any defendant or defendants; there are no claims, defenses, counterclaims or other matters by any defendant or defendants for costs or damages incurred, suffered or caused by Jurassic or otherwise; the Preliminary Injunctions and Temporary Restraining Order entered by the Court are hereby dissolved and are no longer in force or effect; and Jurassic is entitled to release and return of its cash bond posted in the amount of \$50,000.00, and all accrued interest.

10. Each of the defendants as listed by cause of action in Exhibit "A" hereto has been dismissed by Jurassic, and each of the defendants as listed by cause of action in Exhibit "B" hereto has been dismissed and terminated by the Court's entry of an Agreed Judgment of Dismissal between Jurassic and those defendants directed by the Court for entry as a final judgment pursuant to Federal Rule of Civil Procedure 54(b).

11. On February 4, 2010, the Court granted a default judgment in favor of Jurassic and against certain defendants not otherwise dismissed in these cases, and the Court entered an Order Granting Default Judgment to Jurassic as to each of those defendants and their lands, as described

by parcel in Exhibit A to the Complaint or Amended Complaint in each case. This Court's Order Granting Default Judgment to Jurassic entered in the lead case, *Adcock*, Civil Action No. 3:05cv682, is incorporated herein by reference [docket no. 124].¹ Specifically, the defendants against whom the Court granted a default judgment to Jurassic are, in each cause of action, as follows:

Adcock, Civil Action No. 3:05cv682: David Bledsoe, Faye P. Bledsoe, Shannon D. Bruce, Tracey L. Bruce, Bonita Evans, Shunkeith Evans, John Wayne Matthews Annette Sykes, Tommy Joe Sykes, Laura B. Webb and Thomas Webb; and

Cockrell, Civil Action No. 3:06cv51: Kathy L. Mass; and

Adams, Civil Action No. 3:06cv171: James D. Alexander, Jopha Campbell, Kathleen Craft, Vickie W. Craft, Bobbie Nell Adams Garret, Larry Joe Hancock, Sonia M. Hancock, Beth Hudson, Carl G. Matthews, Frances E. Matthews, Hazel Matthews, Wilson Matthews, Robin B. Mayfield, Hurshel Puckett, Garry L. Sullivan, Charlotte Ann Webb, Kirk Williams and Tamara L. Williams.

12. As to each of the above-named defendants and their lands, Jurassic is entitled to and is hereby granted a final declaratory judgment that it had the right to conduct seismic operations on the lands of each of the above-named defendants, and further, that there are no claims for costs or damages incurred or suffered by any of these defendants for any seismic operations conducted on the surface of their lands.

¹ Although this Court's Order Granting Default Judgment to Jurassic included the defendant Stanley Coleman in *Adams*, Civil Action No. 3:06cv171, and the defendant Anthony Smith in *Smith*, Civil Action No. 3:06cv367, each of those defendants have been dismissed pursuant to an Agreed Judgment of Dismissal between Jurassic and those defendants entered by the Court for final judgment pursuant to Rule 54(b) [*Adams*, docket no. 60; and *Smith*, docket no. 9]. Since Anthony Smith was the only defendant in Civil Action No. 3:06cv367, the Court's entry of the Agreed Judgment of Dismissal in that case on March 2, 2010, finalized that case as to any and all claims between Jurassic and that defendant by final judgment, thereby terminating that action in entirety [docket no. 9].

13. The only other defendants of record in these consolidated cases are the defendants Daniel E. Looney and Chassie S. Looney in *Adams*, Civil Action No. 3:05cv171, served with process on March 31, 2006 [docket no. 20]. The only action taken by either of these defendants since being served in these proceeding was a letter response sent to the Clerk of this Court, received on May, 18, 2007 [docket no.42], in which they deny owning or having rights to the lands on which Jurassic conducted its seismic operations. The Court, therefore, finds that each of these defendants and any and all claims by and/or against these defendants concerning any seismic operations conducted by Jurassic are hereby dismissed, with prejudice, as to any and all claims and/or future claims by the parties.

14. For all reasons, findings and conclusions assigned, each of these consolidated actions is hereby fully and finally adjudicated as to all claims, parties, rights, liabilities and all other matters and proceedings, and the Court hereby directs the entry of a final judgment as to all claims and parties with all final declaratory and other relief herein granted in favor of Jurassic.

IT IS, THEREFORE, FINALLY ORDERED AND ADJUDGED that all of the claims and all of the parties' rights and liabilities and all other matters and proceedings in each of these consolidated actions are fully and finally adjudicated with all final declaratory and other relief awarded by final judgment to the plaintiff Jurassic Seismic Company as provided herein; and

IT IS, FURTHER, FINALLY ORDERED AND ADJUDGED that the bond(s) required of plaintiff Jurassic Seismic Company tendered to the Clerk of this Court in connection with the Preliminary Injunctions and Temporary Restraining Orders entered as to the defendants should be and are hereby released, and the Clerk of this Court is hereby directed to release to counsel for the plaintiff Jurassic Seismic Company the cash bond in the amount of \$50,000.00 and all accrued

interest; and

IT IS, FURTHER, FINALLY ORDERED AND ADJUDGED that this Final Order and Judgment is hereby entered adjudicating all of the claims and all of the parties' rights and liabilities and all other matters and proceedings in each of the following consolidated causes of action: *Jurassic Seismic Company vs. John P. Adcock, Jr., et al.*, Civil Action No. 3:05cv682 HTW-LRA; *Jurassic Seismic Company vs. W. B. Cockrell, et al.*, Civil Action No. 3:06cv51 HTW-LRA; *Jurassic Seismic Company vs. Harold Adams, et al.*, Civil Action No. 3:06cv171 HTW-LRA; and *Jurassic Seismic Company vs. Anthony Smith*, Civil Action No. 3:06cv367 HTW-LRA; and

IT IS, FURTHER, FINALLY ORDERED AND ADJUDGED that the entry of this Final Order and Judgment finalizes each of the above-referenced consolidated causes of action in entirety, and each cause of action is hereby terminated upon entry of this Final Order and Judgment, without taxation of costs to any party.

SO ORDERED AND ADJUDGED, this the 30th day of March, 2010.

s/ HENRY T. WINGATE

CHIEF JUDGE
UNITED STATES DISTRICT COURT

Civil Action No. 3:05-cv-682 HTW-LRA
consolidated with
Civil Action No. 3:06-cv-51 HTW-LRA
consolidated with
Civil Action No. 3:06-cv-171 HTW-LRA
consolidated with
Civil Action No. 3:06-cv-367 HTW-LRA

Final Order and Judgment